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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Andy H. Levine, John F. Cvinar and John C. Meade  
Application No.: 10/811,293 Group Art Unit: 3763  
Filed: March 26, 2004 Examiner: Unknown  
Confirmation No.: 8260  
Title: ANTI-OBESITY DEVICES

CERTIFICATE OF MAILING OR TRANSMISSION	
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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
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Sir:

This Information Disclosure Statement is submitted:

- ☐ under 37 CFR 1.129(a), or  
(First/Second submission after Final Rejection)
- ☒ under 37 CFR 1.97(b), or  
(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).
- ☐ under 37 CFR 1.97(c) together with either:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, or
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or  
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, and
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or  
(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)
- ☐ under 37 CFR 1.97(i):  
Applicant requests that the IDS and cited reference(s) be placed in the application file.  
(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
- ☒ Copies of the cited references are enclosed.
- ☒ Copies of issued U.S. patents and published U.S. applications are not required and are not being provided.
- ☐ Copies of the cited references are enclosed except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]
- ☐ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
- ☐ The "concise explanation" requirement (non-English references) for reference(s) [ ] under 37 CFR 1.98(a)(3) is satisfied by:
- ☐ the explanation provided on the attached sheet.
  - ☐ the explanation provided in the Specification.
  - ☐ submission of the enclosed International Search Report.
  - ☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
  - ☐ the enclosed English language abstract.

- ☐ Applicant requests that the following non-published pending applications be considered:  
(Affix a label or apply the stamp "Non-Published IDS Reference - Do Not Scan" to the front of each unpublished pending appl'n.)

Examiner's  
Initials

\_\_\_\_ U.S. Patent Application No. [ ], by [inventor(s)], filed [ ], Docket No.: [ ]  
\_\_\_\_ U.S. Patent Application No. [ ], by [inventor(s)], filed [ ], Docket No.: [ ]  
\_\_\_\_ U.S. Patent Application No. [ ], by [inventor(s)], filed [ ], Docket No.: [ ]

\_\_\_\_\_  
Examiner

\_\_\_\_\_  
Date

- ☐ A copy of each above-cited application, including the current claims, is enclosed, except any application filed on or after June 30, 2003, which has been scanned into the PTO's Image File Wrapper (IFW) system and is available to the examiner.
- ☐ A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

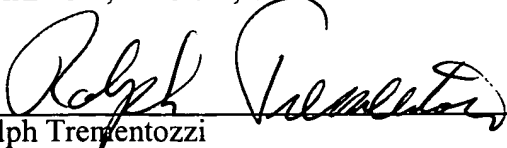
Method of payment:

- ☐ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.
- ☐ Please charge Deposit Account 08-0380 in the amount of \$[ ]. A copy of this Statement is enclosed.
- ☒ Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

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Dated:

2/7/2006

PTO-1449 REPRODUCED

ATTORNEY DOCKET NO.  
2814.2008-001APPLICATION NO.  
10/811,293INFORMATION DISCLOSURE STATEMENT  
IN AN APPLICATIONFIRST NAMED INVENTOR  
Andy H. LevineFILING DATE  
03/26/2004

February 6, 2006

EXAMINER  
Not assignedCONFIRMATION NO.  
8260GROUP  
3763

(Use several sheets if necessary)

## U.S. PATENT DOCUMENTS

EXAM- INER INI- TIAL	REF. NO.	DOCUMENT NUMBER Number-Kind Code (if known)	ISSUE DATE / PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT
	AI12	4,246,893	01/27/1981	Berson
	AJ12	4,271,827	06/09/1981	Angelchik
	AK12	4,617,932	10/21/1986	Kornberg
	AA13	4,905,693	03/06/1990	Ravo
	AB13	4,913,141	04/03/1990	Hillstead
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	AK13	5,733,325	03/31/1998	Robinson et al.
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	AE14	5,964,771	12/12/1999	Beyar et al.
	AF14	6,241,757 B1	06/05/2001	An et al.
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EXAMINER

DATE CONSIDERED

PTO-1449 REPRODUCED  <b>INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION</b>  <b>February 6, 2006</b>  (Use several sheets if necessary)	ATTORNEY DOCKET NO. 2814.2008-001		APPLICATION NO. 10/811,293	
	FIRST NAMED INVENTOR Andy H. Levine		FILING DATE 03/26/2004	
	EXAMINER Not assigned		CONFIRMATION NO. 8260	GROUP 3763

U.S. PATENT DOCUMENTS				
EXAM- INER INI- TIAL	REF. NO.	DOCUMENT NUMBER Number-Kind Code (if known)	ISSUE DATE / PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT
	AB15	6,485,515 B2	11/26/2002	Strecker
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	AB17	2004/0210243 A1	10/12/2004	Gannoe et al.
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	AG17	2005/0049718 A1	03/03/2005	Dann et al.

EXAMINER	DATE CONSIDERED
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**INFORMATION DISCLOSURE STATEMENT  
IN AN APPLICATION**

**February 6, 2006**

(Use several sheets if necessary)

ATTORNEY DOCKET NO.  
2814.2008-001

APPLICATION NO.  
10/811,293

FIRST NAMED INVENTOR  
Andy H. Levine

FILING DATE  
03/26/2004

EXAMINER  
Not assigned

CONFIRMATION NO.  
8260

GROUP  
3763

**U.S. PATENT DOCUMENTS**

[illegible]

EXAMINER

DATE CONSIDERED

PTO-1449 REPRODUCED  <b>INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION</b>  <b>February 7, 2006</b>  (Use several sheets if necessary)	ATTORNEY DOCKET NO. <b>2814.2008-001</b>		APPLICATION NO. <b>10/811,293</b>	
	FIRST NAMED INVENTOR <b>Andy H. Levine</b>		FILING DATE <b>03/26/2004</b>	
	EXAMINER <b>Not assigned</b>		CONFIRMATION NO. <b>8260</b>	GROUP <b>3763</b>

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER Country Code-Number-Kind Code (if known)	DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT	TRANSLATION YES NO	
	AO4	EP 0 506 918 B1	01/03/1996	Song, Ho Young		
	AP4	EP 0 857 471 A2	08/12/1998	Solco Surgical Instruments Co. Ltd.		
	AQ4	EP 1 481 649 A1	12/01/2004	Taewoong Medical Co. Ltd.		
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	AM5	WO 97/03624 A1	02/06/1997	Uflacker		
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EXAMINER	DATE CONSIDERED
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